

costs nor any relief not included in such tender, and shall defray the costs of the defendant in the suit."

Mr. Gopala Pillai, in moving that the Proviso to the Section be deleted, said :—

"This is a curtailment of the rights of a subject. Ordinarily, a man may have his remedy under the Criminal or Civil law. If a man's rights should be curtailed, there must be special reasons for it. There is no reason why the rights of a man under the Civil law should be extinguished because his adversary has been prosecuted criminally. It is not proper to say that a man should make up his mind beforehand to seek Civil or Criminal remedy."

Seconded by Mr. Govinda Menon.

Mr. Krishna Aiyangar —

"Even though the Criminal prosecution ends in an acquittal by the Magistrate, under the Section no Civil action can be brought against the man. That is another difficulty."

President :—"He has undergone all the troubles of a Criminal prosecution in the public interests. Of course, this provision is an exception to the general law."

Mr. Subrahmanya Pillai :—"It is not easy to bring a Police officer to conviction in a Criminal case."

Mr. Subba Aiyar :—

"The Policeman has always been treated separately from the rest of the public servants for various reasons. His actions are always criticised, however honest he may be. He has to be unpopular with the public in the discharge of his duty. If he goes wrong, there is no doubt that the aggrieved party should have some sort of action, and the law gives him the Criminal action or a Civil action. But in order that the Policeman may discharge his duty efficiently, it is thought better to exempt him from one or other of the actions. The Policeman's duties are as I said peculiar and delicate, and that is probably the reason why the Legislature in all the British Indian provinces have enacted this provision. Even in the existing Regulation, we have got the same provision. This is nothing new. There has been no grievance for the last forty years during which the Regulation has been in force. In the interests of the Police Force, it is desirable that he must be harassed only once and not twice."

After some discussion, the motion was put to the vote and lost.

SECTION 71.

Mr. Krishna Aiyangar moved that the words "the names of the complainants" in lines 5 and 6 be transposed before the words "the names of all persons arrested" in line 5.

Mr. Subba Aiyar accepted the amendment, and it was carried.

SECTION 72.

Mr. Subba Aiyar moved that the word "to" in line 3 be deleted.

Seconded by Mr. Chacko,
Carried.

The consideration of the Bill being over, Mr. Subba Aiyar moved that the Bill as settled by the Council be read again on a future day of which notice should be given.

Seconded by Mr. Rengaswami Aiyangar.
Carried.

THE MOTOR VEHICLES REGULATION AMENDMENT BILL.

SECTION 17.

Mr. Subba Aiyar moved that the words "one hundred" and "two hundred" be substituted for the words "fifty" and "one hundred" in lines 4 and 5.

Seconded by Mr. Mahadeva Aiyar.

Carried.

Mr. Subba Aiyar next moved that the Bill be finally read and passed.

Seconded by Mr. Rengaswami Aiyangar.
Carried.

The Council adjourned at 4-45 P. M.

M. KRISHNAN NAIR,
President.